

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MIRANDA D'ANCONA, MARIE RUPERT,  
DORIS KAUFMAN

: Index No. 07 CIV 5788(LTS)

Plaintiffs,

: MOTION TO STRIKE THE COMPLAINT  
: OR IN THE ALTERNATIVE TO COMPEL  
: DISCOVERY

-against-

D& R TRANSPORT, (a/k/a P.S. INC.) and  
DONALD P. MOORE

:  
:

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Defendants.

**C O U N S E L:**

**PLEASE TAKE NOTICE**, that defendants **D&R TRANSPORT and DONALD P. MOORE**, by their attorneys, LAW OFFICES OF CHARLES J. SIEGEL, will move the United States District Court, Southern District of New York for an Order pursuant to Federal Rules of Civil Practice 37(a), to strike plaintiff's complaint with prejudice based upon plaintiffs failure to submit automatic disclosure in this matter, or, in the alternative, for an Order (i) directing plaintiff MARIE RUPERT to provide automatic disclosure pursuant to Federal Rules of Civil Procedure and (ii) requiring plaintiff and her counsel to pay the costs associated with this motion, including attorneys fees.

Dated: New York, New York  
July 14, 2008

Yours, etc.

Law Offices of  
CHARLES J. SIEGEL  
Attorney for Defendants  
D& R TRANSPORT (a/k/a  
PS, INC.) and DONALD P. MOORE  
Office & P.O. Address  
40 Wall Street  
7th Floor  
New York, New York 10005  
(212) 440-2350

By:   
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Jack L. Cohen(9449)

TO: A. JOSEPH TANDET  
Attorneys for Plaintiff(MARIE RUPERT)  
488 Madison Avenue, Suite 1100  
New York, New York 10022  
(212) 486-9494

TO: LAW OFFICES OF MYRON LASSER  
Attorneys for Plaintiff (DORIS KAUFMAN)  
60 Bay Street  
Staten Island, New York 10301

LAW OFFICES OF DAVID HOROWITZ, P.C.  
Attorneys for Plaintiff MIRANDA D'ANCONA  
276 Fifth Avenue  
New York, NY 10001  
(212) 684-3630